

1 **“PART D—NATIONAL ACTIVITIES TO IMPROVE**
2 **EDUCATION OF CHILDREN WITH DISABILITIES**

3 **“SEC. 650. FINDINGS.**

4 “Congress finds the following:

5 “(1) The Federal Government has an ongoing
6 obligation to support activities that contribute to
7 positive results for children with disabilities, ena-
8 bling those children to lead productive and inde-
9 pendent adult lives.

10 “(2) Systemic change benefiting all students,
11 including children with disabilities, requires the in-
12 volvement of States, local educational agencies, par-
13 ents, individuals with disabilities and their families,
14 teachers and other service providers, and other inter-
15 ested individuals and organizations to develop and
16 implement comprehensive strategies that improve
17 educational results for children with disabilities.

18 “(3) State educational agencies, in partnership
19 with local educational agencies, parents of children
20 with disabilities, and other individuals and organiza-
21 tions, are in the best position to improve education
22 for children with disabilities and to address their
23 special needs.

24 “(4) An effective educational system serving
25 students with disabilities should—

1 “(A) maintain high academic achievement
2 standards and clear performance goals for chil-
3 dren with disabilities, consistent with the stand-
4 ards and expectations for all students in the
5 educational system, and provide for appropriate
6 and effective strategies and methods to ensure
7 that all children with disabilities have the op-
8 portunity to achieve those standards and goals;

9 “(B) clearly define, in objective, measur-
10 able terms, the school and post-school results
11 that children with disabilities are expected to
12 achieve; and

13 “(C) promote transition services and co-
14 ordinate State and local education, social,
15 health, mental health, and other services, in ad-
16 dressing the full range of student needs, par-
17 ticularly the needs of children with disabilities
18 who need significant levels of support to partici-
19 pate and learn in school and the community.

20 “(5) The availability of an adequate number of
21 qualified personnel is critical—

22 “(A) to serve effectively children with dis-
23 abilities;

24 “(B) to assume leadership positions in ad-
25 ministration and direct services;

1 “(C) to provide teacher training; and

2 “(D) to conduct high quality research to
3 improve special education.

4 “(6) High quality, comprehensive professional
5 development programs are essential to ensure that
6 the persons responsible for the education or transi-
7 tion of children with disabilities possess the skills
8 and knowledge necessary to address the educational
9 and related needs of those children.

10 “(7) Models of professional development should
11 be scientifically based and reflect successful prac-
12 tices, including strategies for recruiting, preparing,
13 and retaining personnel.

14 “(8) Continued support is essential for the de-
15 velopment and maintenance of a coordinated and
16 high quality program of research to inform success-
17 ful teaching practices and model curricula for edu-
18 cating children with disabilities.

19 “(9) Training, technical assistance, support,
20 and dissemination activities are necessary to ensure
21 that parts B and C are fully implemented and
22 achieve high quality early intervention, educational,
23 and transitional results for children with disabilities
24 and their families.

1 “(10) Parents, teachers, administrators, and re-
2 lated services personnel need technical assistance
3 and information in a timely, coordinated, and acces-
4 sible manner in order to improve early intervention,
5 educational, and transitional services and results at
6 the State and local levels for children with disabil-
7 ities and their families.

8 “(11) Parent training and information activities
9 assist parents of a child with a disability in dealing
10 with the multiple pressures of parenting such a child
11 and are of particular importance in—

12 “(A) playing a vital role in creating and
13 preserving constructive relationships between
14 parents of children with disabilities and schools
15 by facilitating open communication between the
16 parents and schools; encouraging dispute reso-
17 lution at the earliest possible point in time; and
18 discouraging the escalation of an adversarial
19 process between the parents and schools;

20 “(B) ensuring the involvement of parents
21 in planning and decisionmaking with respect to
22 early intervention, educational, and transitional
23 services;

1 “(C) achieving high quality early interven-
2 tion, educational, and transitional results for
3 children with disabilities;

4 “(D) providing such parents information
5 on their rights, protections, and responsibilities
6 under this title to ensure improved early inter-
7 vention, educational, and transitional results for
8 children with disabilities;

9 “(E) assisting such parents in the develop-
10 ment of skills to participate effectively in the
11 education and development of their children and
12 in the transitions described in section
13 673(b)(6);

14 “(F) supporting the roles of such parents
15 as participants within partnerships seeking to
16 improve early intervention, educational, and
17 transitional services and results for children
18 with disabilities and their families; and

19 “(G) supporting such parents who may
20 have limited access to services and supports,
21 due to economic, cultural, or linguistic barriers.

22 “(12) Support is needed to improve techno-
23 logical resources and integrate technology, including
24 universally designed technologies, into the lives of
25 children with disabilities, parents of children with

1 disabilities, school personnel, and others through
2 curricula, services, and assistive technologies.

3 **“Subpart 1—State Personnel Development Grants**

4 **“SEC. 651. PURPOSE; DEFINITION OF PERSONNEL; PRO-**
5 **GRAM AUTHORITY.**

6 “(a) PURPOSE.—The purpose of this subpart is to
7 assist State educational agencies in reforming and improv-
8 ing their systems for personnel preparation and profes-
9 sional development in early intervention, educational, and
10 transition services in order to improve results for children
11 with disabilities.

12 “(b) DEFINITION OF PERSONNEL.—In this subpart
13 the term ‘personnel’ means special education teachers,
14 regular education teachers, principals, administrators, re-
15 lated services personnel, paraprofessionals, and early
16 intervention personnel serving infants, toddlers, pre-
17 schoolers, or children with disabilities, except where a par-
18 ticular category of personnel, such as related services per-
19 sonnel, is identified.

20 “(c) COMPETITIVE GRANTS.—

21 “(1) IN GENERAL.—Except as provided in sub-
22 section (d), for any fiscal year for which the amount
23 appropriated under section 655, that remains after
24 the Secretary reserves funds under subsection (e) for
25 the fiscal year, is less than \$100,000,000, the Sec-

1 retary shall award grants, on a competitive basis, to
2 State educational agencies to carry out the activities
3 described in the State plan submitted under section
4 653.

5 “(2) PRIORITY.—In awarding grants under
6 paragraph (1), the Secretary may give priority to
7 State educational agencies that—

8 “(A) are in States with the greatest per-
9 sonnel shortages; or

10 “(B) demonstrate the greatest difficulty
11 meeting the requirements of section 612(a)(14).

12 “(3) MINIMUM AMOUNT.—The Secretary shall
13 make a grant to each State educational agency se-
14 lected under paragraph (1) in an amount for each
15 fiscal year that is—

16 “(A) not less than \$500,000, nor more
17 than \$4,000,000, in the case of the 50 States,
18 the District of Columbia, and the Common-
19 wealth of Puerto Rico; and

20 “(B) not less than \$80,000 in the case of
21 an outlying area.

22 “(4) INCREASE IN AMOUNT.—The Secretary
23 may increase the amounts of grants under para-
24 graph (4) to account for inflation.

1 “(5) FACTORS.—The Secretary shall determine
2 the amount of a grant under paragraph (1) after
3 considering—

4 “(A) the amount of funds available for
5 making the grants;

6 “(B) the relative population of the State or
7 outlying area;

8 “(C) the types of activities proposed by the
9 State or outlying area;

10 “(D) the alignment of proposed activities
11 with section 612(a)(14);

12 “(E) the alignment of proposed activities
13 with the State plans and applications submitted
14 under sections 1111 and 2112, respectively, of
15 the Elementary and Secondary Education Act
16 of 1965; and

17 “(F) the use, as appropriate, of scientif-
18 ically based research activities.

19 “(d) FORMULA GRANTS.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graphs (2) and (3), for the first fiscal year for which
22 the amount appropriated under section 655, that re-
23 mains after the Secretary reserves funds under sub-
24 section (e) for the fiscal year, is equal to or greater
25 than \$100,000,000, and for each fiscal year there-

1 after, the Secretary shall allot to each State edu-
2 cational agency, whose application meets the require-
3 ments of this subpart, an amount that bears the
4 same relation to the amount remaining as the
5 amount the State received under section 611(d) for
6 that fiscal year bears to the amount of funds re-
7 ceived by all States (whose applications meet the re-
8 quirements of this subpart) under section 611(d) for
9 that fiscal year.

10 “(2) MINIMUM ALLOTMENTS FOR STATES THAT
11 RECEIVED COMPETITIVE GRANTS.—

12 “(A) IN GENERAL.—The amount allotted
13 under this subsection to any State educational
14 agency that received a competitive multi-year
15 grant under subsection (c) for which the grant
16 period has not expired shall be not less than the
17 amount specified for that fiscal year in the
18 State educational agency’s grant award docu-
19 ment under that subsection.

20 “(B) SPECIAL RULE.—Each such State
21 educational agency shall use the minimum
22 amount described in subparagraph (A) for the
23 activities described in the State educational
24 agency’s competitive grant award document for
25 that year, unless the Secretary approves a re-

1 quest from the State educational agency to
2 spend the funds on other activities.

3 “(3) MINIMUM ALLOTMENT.—The amount of
4 any State educational agency’s allotment under this
5 subsection for any fiscal year shall not be less
6 than—

7 “(A) the greater of \$500,000 or $\frac{1}{2}$ of 1
8 percent of the total amount available under this
9 subsection for that year, in the case of each of
10 the 50 States, the District of Columbia, and the
11 Commonwealth of Puerto Rico; and

12 “(B) \$80,000, in the case of an outlying
13 area.

14 “(4) DIRECT BENEFIT.—In using grant funds
15 allotted under paragraph (1), a State educational
16 agency shall, through grants, contracts, or coopera-
17 tive agreements, undertake activities that signifi-
18 cantly and directly benefit the local educational
19 agencies in the State.

20 “(e) CONTINUATION AWARDS.—

21 “(1) IN GENERAL.—Notwithstanding any other
22 provision of this subpart, from funds appropriated
23 under section 655 for each fiscal year, the Secretary
24 shall reserve the amount that is necessary to make
25 a continuation award to any State educational agen-

1 cy (at the request of the State educational agency)
2 that received a multi-year award under this part (as
3 this part was in effect on the day before the date of
4 enactment of the Individuals with Disabilities Edu-
5 cation Improvement Act of 2004), to enable the
6 State educational agency to carry out activities in
7 accordance with the terms of the multi-year award.

8 “(2) PROHIBITION.—A State educational agen-
9 cy that receives a continuation award under para-
10 graph (1) for any fiscal year may not receive any
11 other award under this subpart for that fiscal year.

12 **“SEC. 652. ELIGIBILITY AND COLLABORATIVE PROCESS.**

13 “(a) ELIGIBLE APPLICANTS.—A State educational
14 agency may apply for a grant under this subpart for a
15 grant period of not less than 1 year and not more than
16 5 years.

17 “(b) PARTNERS.—

18 “(1) IN GENERAL.—In order to be considered
19 for a grant under this subpart, a State educational
20 agency shall establish a partnership with local edu-
21 cational agencies and other State agencies involved
22 in, or concerned with, the education of children with
23 disabilities, including—

24 “(A) not less than 1 institution of higher
25 education; and

1 “(B) the State agencies responsible for ad-
2 ministering part C, early education, child care,
3 and vocational rehabilitation programs.

4 “(2) OTHER PARTNERS.—In order to be consid-
5 ered for a grant under this subpart, a State edu-
6 cational agency shall work in partnership with other
7 persons and organizations involved in, and concerned
8 with, the education of children with disabilities,
9 which may include—

10 “(A) the Governor;

11 “(B) parents of children with disabilities
12 ages birth through 26;

13 “(C) parents of nondisabled children ages
14 birth through 26;

15 “(D) individuals with disabilities;

16 “(E) parent training and information cen-
17 ters or community parent resource centers
18 funded under sections 671 and 672, respec-
19 tively;

20 “(F) community based and other nonprofit
21 organizations involved in the education and em-
22 ployment of individuals with disabilities;

23 “(G) personnel as defined in section
24 651(b);

1 “(H) the State advisory panel established
2 under part B;

3 “(I) the State interagency coordinating
4 council established under part C;

5 “(J) individuals knowledgeable about voca-
6 tional education;

7 “(K) the State agency for higher edu-
8 cation;

9 “(L) public agencies with jurisdiction in
10 the areas of health, mental health, social serv-
11 ices, and juvenile justice;

12 “(M) other providers of professional devel-
13 opment that work with infants, toddlers, pre-
14 schoolers, and children with disabilities; and

15 “(N) other individuals.

16 “(3) REQUIRED PARTNER.—If State law as-
17 signs responsibility for teacher preparation and cer-
18 tification to an individual, entity, or agency other
19 than the State educational agency, the State edu-
20 cational agency shall—

21 “(A) include that individual, entity, or
22 agency as a partner in the partnership under
23 this subsection; and

24 “(B) ensure that any activities the State
25 educational agency will carry out under this

1 subpart that are within that partner’s jurisdic-
2 tion (which may include activities described in
3 section 654(b)) are carried out by that partner.

4 **“SEC. 653. APPLICATIONS.**

5 “(a) IN GENERAL.—

6 “(1) SUBMISSION.—A State educational agency
7 that desires to receive a grant under this subpart
8 shall submit to the Secretary an application at such
9 time, in such manner, and including such informa-
10 tion as the Secretary may require.

11 “(2) STATE PLAN.—The application shall in-
12 clude a plan that identifies and addresses the State
13 and local needs for the personnel preparation and
14 professional development of personnel, as well as in-
15 dividuals who provide direct supplementary aids and
16 services to children with disabilities, and that—

17 “(A) is designed to enable the State to
18 meet the requirements of section 612(a)(14)
19 and section 635(a) (8) and (9);

20 “(B) is based on an assessment of State
21 and local needs that identifies critical aspects
22 and areas in need of improvement related to the
23 preparation, ongoing training, and professional
24 development of personnel who serve infants,

1 toddlers, preschoolers, and children with disabil-
2 ities within the State, including—

3 “(i) current and anticipated personnel
4 vacancies and shortages; and

5 “(ii) the number of preservice and in-
6 service programs; and

7 “(C) is integrated and aligned, to the max-
8 imum extent possible, with State plans and ac-
9 tivities under the Elementary and Secondary
10 Education Act of 1965, the Rehabilitation Act
11 of 1973, and the Higher Education Act of
12 1965.

13 “(3) REQUIREMENT.—The State application
14 shall contain an assurance that the State edu-
15 cational agency will carry out each of the strategies
16 described in subsection (b)(4).

17 “(b) ELEMENTS OF STATE PERSONNEL DEVELOP-
18 MENT PLAN.—Each State personnel development plan
19 under subsection (a)(2) shall—

20 “(1) describe a partnership agreement that is in
21 effect for the period of the grant, which agreement
22 shall specify—

23 “(A) the nature and extent of the partner-
24 ship described in section 652(b) and the respec-
25 tive roles of each member of the partnership,

1 including the partner described in section
2 652(b)(3) if applicable; and

3 “(B) how the State educational agency will
4 work with other persons and organizations in-
5 volved in, and concerned with, the education of
6 children with disabilities, including the respec-
7 tive roles of each of the persons and organiza-
8 tions;

9 “(2) describe how the strategies and activities
10 described in paragraph (4) will be coordinated with
11 activities supported with other public resources (in-
12 cluding part B and part C funds retained for use at
13 the State level for personnel and professional devel-
14 opment purposes) and private resources;

15 “(3) describe how the State educational agency
16 will align its personnel development plan under this
17 subpart with the plan and application submitted
18 under sections 1111 and 2112, respectively, of the
19 Elementary and Secondary Education Act of 1965;

20 “(4) describe those strategies the State edu-
21 cational agency will use to address the professional
22 development and personnel needs identified under
23 subsection (a)(2) and how such strategies will be im-
24 plemented, including—

1 “(A) a description of the programs and ac-
2 tivities to be supported under this subpart that
3 will provide personnel with the knowledge and
4 skills to meet the needs of, and improve the
5 performance and achievement of, infants, tod-
6 dlers, preschoolers, and children with disabil-
7 ities; and

8 “(B) how such strategies will be inte-
9 grated, to the maximum extent possible, with
10 other activities supported by grants funded
11 under section 662;

12 “(5) provide an assurance that the State edu-
13 cational agency will provide technical assistance to
14 local educational agencies to improve the quality of
15 professional development available to meet the needs
16 of personnel who serve children with disabilities;

17 “(6) provide an assurance that the State edu-
18 cational agency will provide technical assistance to
19 entities that provide services to infants and toddlers
20 with disabilities to improve the quality of profes-
21 sional development available to meet the needs of
22 personnel serving such children;

23 “(7) describe how the State educational agency
24 will recruit and retain highly qualified teachers and

1 other qualified personnel in geographic areas of
2 greatest need;

3 “(8) describe the steps the State educational
4 agency will take to ensure that poor and minority
5 children are not taught at higher rates by teachers
6 who are not highly qualified; and

7 “(9) describe how the State educational agency
8 will assess, on a regular basis, the extent to which
9 the strategies implemented under this subpart have
10 been effective in meeting the performance goals de-
11 scribed in section 612(a)(15).

12 “(c) PEER REVIEW.—

13 “(1) IN GENERAL.—The Secretary shall use a
14 panel of experts who are competent, by virtue of
15 their training, expertise, or experience, to evaluate
16 applications for grants under section 651(c)(1).

17 “(2) COMPOSITION OF PANEL.—A majority of a
18 panel described in paragraph (1) shall be composed
19 of individuals who are not employees of the Federal
20 Government.

21 “(3) PAYMENT OF FEES AND EXPENSES OF
22 CERTAIN MEMBERS.—The Secretary may use avail-
23 able funds appropriated to carry out this subpart to
24 pay the expenses and fees of panel members who are
25 not employees of the Federal Government.

1 “(d) REPORTING PROCEDURES.—Each State edu-
2 cational agency that receives a grant under this subpart
3 shall submit annual performance reports to the Secretary.
4 The reports shall—

5 “(1) describe the progress of the State edu-
6 cational agency in implementing its plan;

7 “(2) analyze the effectiveness of the State edu-
8 cational agency’s activities under this subpart and of
9 the State educational agency’s strategies for meeting
10 its goals under section 612(a)(15); and

11 “(3) identify changes in the strategies used by
12 the State educational agency and described in sub-
13 section (b)(4), if any, to improve the State edu-
14 cational agency’s performance.

15 **“SEC. 654. USE OF FUNDS.**

16 “(a) PROFESSIONAL DEVELOPMENT ACTIVITIES.—A
17 State educational agency that receives a grant under this
18 subpart shall use the grant funds to support activities in
19 accordance with the State’s plan described in section 653,
20 including 1 or more of the following:

21 “(1) Carrying out programs that provide sup-
22 port to both special education and regular education
23 teachers of children with disabilities and principals,
24 such as programs that—

1 “(A) provide teacher mentoring, team
2 teaching, reduced class schedules and case
3 loads, and intensive professional development;

4 “(B) use standards or assessments for
5 guiding beginning teachers that are consistent
6 with challenging State student academic
7 achievement and functional standards and with
8 the requirements for professional development,
9 as defined in section 9101 of the Elementary
10 and Secondary Education Act of 1965; and

11 “(C) encourage collaborative and consult-
12 ative models of providing early intervention,
13 special education, and related services.

14 “(2) Encouraging and supporting the training
15 of special education and regular education teachers
16 and administrators to effectively use and integrate
17 technology—

18 “(A) into curricula and instruction, includ-
19 ing training to improve the ability to collect,
20 manage, and analyze data to improve teaching,
21 decisionmaking, school improvement efforts,
22 and accountability;

23 “(B) to enhance learning by children with
24 disabilities; and

1 “(C) to effectively communicate with par-
2 ents.

3 “(3) Providing professional development activi-
4 ties that—

5 “(A) improve the knowledge of special edu-
6 cation and regular education teachers
7 concerning—

8 “(i) the academic and developmental
9 or functional needs of students with dis-
10 abilities; or

11 “(ii) effective instructional strategies,
12 methods, and skills, and the use of State
13 academic content standards and student
14 academic achievement and functional
15 standards, and State assessments, to im-
16 prove teaching practices and student aca-
17 demic achievement;

18 “(B) improve the knowledge of special edu-
19 cation and regular education teachers and prin-
20 cipals and, in appropriate cases, paraprofes-
21 sionals, concerning effective instructional prac-
22 tices, and that—

23 “(i) provide training in how to teach
24 and address the needs of children with dif-

1 ferent learning styles and children who are
2 limited English proficient;

3 “(ii) involve collaborative groups of
4 teachers, administrators, and, in appro-
5 priate cases, related services personnel;

6 “(iii) provide training in methods of—

7 “(I) positive behavioral interven-
8 tions and supports to improve student
9 behavior in the classroom;

10 “(II) scientifically based reading
11 instruction, including early literacy in-
12 struction;

13 “(III) early and appropriate
14 interventions to identify and help chil-
15 dren with disabilities;

16 “(IV) effective instruction for
17 children with low incidence disabil-
18 ities;

19 “(V) successful transitioning to
20 postsecondary opportunities; and

21 “(VI) using classroom-based
22 techniques to assist children prior to
23 referral for special education;

24 “(iv) provide training to enable per-
25 sonnel to work with and involve parents in

1 their child’s education, including parents of
2 low income and limited English proficient
3 children with disabilities;

4 “(v) provide training for special edu-
5 cation personnel and regular education
6 personnel in planning, developing, and im-
7 plementing effective and appropriate IEPs;
8 and

9 “(vi) provide training to meet the
10 needs of students with significant health,
11 mobility, or behavioral needs prior to serv-
12 ing such students;

13 “(C) train administrators, principals, and
14 other relevant school personnel in conducting
15 effective IEP meetings; and

16 “(D) train early intervention, preschool,
17 and related services providers, and other rel-
18 evant school personnel, in conducting effective
19 individualized family service plan (IFSP) meet-
20 ings.

21 “(4) Developing and implementing initiatives to
22 promote the recruitment and retention of highly
23 qualified special education teachers, particularly ini-
24 tiatives that have been proven effective in recruiting

1 and retaining highly qualified teachers, including
2 programs that provide—

3 “(A) teacher mentoring from exemplary
4 special education teachers, principals, or super-
5 intendents;

6 “(B) induction and support for special
7 education teachers during their first 3 years of
8 employment as teachers; or

9 “(C) incentives, including financial incen-
10 tives, to retain special education teachers who
11 have a record of success in helping students
12 with disabilities.

13 “(5) Carrying out programs and activities that
14 are designed to improve the quality of personnel who
15 serve children with disabilities, such as—

16 “(A) innovative professional development
17 programs (which may be provided through part-
18 nerships that include institutions of higher edu-
19 cation), including programs that train teachers
20 and principals to integrate technology into cur-
21 ricula and instruction to improve teaching,
22 learning, and technology literacy, which profes-
23 sional development shall be consistent with the
24 definition of professional development in section

1 9101 of the Elementary and Secondary Edu-
2 cation Act of 1965; and

3 “(B) the development and use of proven,
4 cost effective strategies for the implementation
5 of professional development activities, such as
6 through the use of technology and distance
7 learning.

8 “(6) Carrying out programs and activities that
9 are designed to improve the quality of early inter-
10 vention personnel, including paraprofessionals and
11 primary referral sources, such as—

12 “(A) professional development programs to
13 improve the delivery of early intervention serv-
14 ices;

15 “(B) initiatives to promote the recruitment
16 and retention of early intervention personnel;
17 and

18 “(C) interagency activities to ensure that
19 early intervention personnel are adequately pre-
20 pared and trained.

21 “(b) OTHER ACTIVITIES.—A State educational agen-
22 cy that receives a grant under this subpart shall use the
23 grant funds to support activities in accordance with the
24 State’s plan described in section 653, including 1 or more
25 of the following:

1 “(1) Reforming special education and regular
2 education teacher certification (including recertifi-
3 cation) or licensing requirements to ensure that—

4 “(A) special education and regular edu-
5 cation teachers have—

6 “(i) the training and information nec-
7 essary to address the full range of needs of
8 children with disabilities across disability
9 categories; and

10 “(ii) the necessary subject matter
11 knowledge and teaching skills in the aca-
12 demic subjects that the teachers teach;

13 “(B) special education and regular edu-
14 cation teacher certification (including recertifi-
15 cation) or licensing requirements are aligned
16 with challenging State academic content stand-
17 ards; and

18 “(C) special education and regular edu-
19 cation teachers have the subject matter knowl-
20 edge and teaching skills, including technology
21 literacy, necessary to help students with disabil-
22 ities meet challenging State student academic
23 achievement and functional standards.

24 “(2) Programs that establish, expand, or im-
25 prove alternative routes for State certification of

1 special education teachers for highly qualified indi-
2 viduals with a baccalaureate or master's degree, in-
3 cluding mid-career professionals from other occupa-
4 tions, paraprofessionals, and recent college or uni-
5 versity graduates with records of academic distine-
6 tion who demonstrate the potential to become highly
7 effective special education teachers.

8 “(3) Teacher advancement initiatives for special
9 education teachers that promote professional growth
10 and emphasize multiple career paths (such as paths
11 to becoming a career teacher, mentor teacher, or ex-
12 emplary teacher) and pay differentiation.

13 “(4) Developing and implementing mechanisms
14 to assist local educational agencies and schools in ef-
15 fectively recruiting and retaining highly qualified
16 special education teachers.

17 “(5) Reforming tenure systems, implementing
18 teacher testing for subject matter knowledge, and
19 implementing teacher testing for State certification
20 or licensing, consistent with title II of the Higher
21 Education Act of 1965.

22 “(6) Funding projects to promote reciprocity of
23 teacher certification or licensing between or among
24 States for special education teachers, except that no
25 reciprocity agreement developed under this para-

1 graph or developed using funds provided under this
2 subpart may lead to the weakening of any State
3 teaching certification or licensing requirement.

4 “(7) Assisting local educational agencies to
5 serve children with disabilities through the develop-
6 ment and use of proven, innovative strategies to de-
7 liver intensive professional development programs
8 that are both cost effective and easily accessible,
9 such as strategies that involve delivery through the
10 use of technology, peer networks, and distance learn-
11 ing.

12 “(8) Developing, or assisting local educational
13 agencies in developing, merit based performance sys-
14 tems, and strategies that provide differential and
15 bonus pay for special education teachers.

16 “(9) Supporting activities that ensure that
17 teachers are able to use challenging State academic
18 content standards and student academic achieve-
19 ment and functional standards, and State assess-
20 ments for all children with disabilities, to improve
21 instructional practices and improve the academic
22 achievement of children with disabilities.

23 “(10) When applicable, coordinating with, and
24 expanding centers established under, section
25 2113(c)(18) of the Elementary and Secondary Edu-

1 cation Act of 1965 to benefit special education
2 teachers.

3 “(c) CONTRACTS AND SUBGRANTS.—A State edu-
4 cational agency that receives a grant under this subpart—

5 “(1) shall award contracts or subgrants to local
6 educational agencies, institutions of higher edu-
7 cation, parent training and information centers, or
8 community parent resource centers, as appropriate,
9 to carry out its State plan under this subpart; and

10 “(2) may award contracts and subgrants to
11 other public and private entities, including the lead
12 agency under part C, to carry out the State plan.

13 “(d) USE OF FUNDS FOR PROFESSIONAL DEVELOP-
14 MENT.—A State educational agency that receives a grant
15 under this subpart shall use—

16 “(1) not less than 90 percent of the funds the
17 State educational agency receives under the grant
18 for any fiscal year for activities under subsection (a);
19 and

20 “(2) not more than 10 percent of the funds the
21 State educational agency receives under the grant
22 for any fiscal year for activities under subsection (b).

23 “(e) GRANTS TO OUTLYING AREAS.—Public Law 95–
24 134, permitting the consolidation of grants to the outlying
25 areas, shall not apply to funds received under this subpart.

1 **“SEC. 655. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this subpart such sums as may be necessary for each of
4 the fiscal years 2005 through 2010.

5 **“Subpart 2—Personnel Preparation, Technical Assist-**
6 **ance, Model Demonstration Projects, and Dis-**
7 **semination of Information**

8 **“SEC. 661. PURPOSE; DEFINITION OF ELIGIBLE ENTITY.**

9 “(a) PURPOSE.—The purpose of this subpart is—

10 “(1) to provide Federal funding for personnel
11 preparation, technical assistance, model demonstra-
12 tion projects, information dissemination, and studies
13 and evaluations, in order to improve early interven-
14 tion, educational, and transitional results for chil-
15 dren with disabilities; and

16 “(2) to assist State educational agencies and
17 local educational agencies in improving their edu-
18 cation systems for children with disabilities.

19 “(b) DEFINITION OF ELIGIBLE ENTITY.—

20 “(1) IN GENERAL.—In this subpart, the term
21 ‘eligible entity’ means—

22 “(A) a State educational agency;

23 “(B) a local educational agency;

24 “(C) a public charter school that is a local
25 educational agency under State law;

26 “(D) an institution of higher education;

1 “(E) a public agency not described in sub-
2 paragraphs (A) through (D);

3 “(F) a private nonprofit organization;

4 “(G) an outlying area;

5 “(H) an Indian tribe or a tribal organiza-
6 tion (as defined under section 4 of the Indian
7 Self-Determination and Education Assistance
8 Act); or

9 “(I) a for-profit organization, if the Sec-
10 retary finds it appropriate in light of the pur-
11 poses of a particular competition for a grant,
12 contract, or cooperative agreement under this
13 subpart.

14 “(2) SPECIAL RULE.—The Secretary may limit
15 which eligible entities described in paragraph (1) are
16 eligible for a grant, contract, or cooperative agree-
17 ment under this subpart to 1 or more of the cat-
18 egories of eligible entities described in paragraph
19 (1).

20 **“SEC. 662. PERSONNEL DEVELOPMENT TO IMPROVE SERV-**
21 **ICES AND RESULTS FOR CHILDREN WITH DIS-**
22 **ABILITIES.**

23 “(a) IN GENERAL.—The Secretary, on a competitive
24 basis, shall award grants to, or enter into contracts or co-

1 operative agreements with, eligible entities to carry out 1
2 or more of the following objectives:

3 “(1) To help address the needs identified in the
4 State plan described in section 653(a)(2) for highly
5 qualified personnel, as defined in section 651(b), to
6 work with infants or toddlers with disabilities, or
7 children with disabilities, consistent with the quali-
8 fications described in section 612(a)(14).

9 “(2) To ensure that those personnel have the
10 necessary skills and knowledge, derived from prac-
11 tices that have been determined, through scientif-
12 ically based research, to be successful in serving
13 those children.

14 “(3) To encourage increased focus on aca-
15 demics and core content areas in special education
16 personnel preparation programs.

17 “(4) To ensure that regular education teachers
18 have the necessary skills and knowledge to provide
19 instruction to students with disabilities in the reg-
20 ular education classroom.

21 “(5) To ensure that all special education teach-
22 ers are highly qualified.

23 “(6) To ensure that preservice and in-service
24 personnel preparation programs include training
25 in—

1 “(A) the use of new technologies;

2 “(B) the area of early intervention, edu-
3 cational, and transition services;

4 “(C) effectively involving parents; and

5 “(D) positive behavioral supports.

6 “(7) To provide high-quality professional devel-
7 opment for principals, superintendents, and other
8 administrators, including training in—

9 “(A) instructional leadership;

10 “(B) behavioral supports in the school and
11 classroom;

12 “(C) paperwork reduction;

13 “(D) promoting improved collaboration be-
14 tween special education and general education
15 teachers;

16 “(E) assessment and accountability;

17 “(F) ensuring effective learning environ-
18 ments; and

19 “(G) fostering positive relationships with
20 parents.

21 “(b) PERSONNEL DEVELOPMENT; ENHANCED SUP-
22 PORT FOR BEGINNING SPECIAL EDUCATORS.—

23 “(1) IN GENERAL.—In carrying out this sec-
24 tion, the Secretary shall support activities—

1 “(A) for personnel development, including
2 activities for the preparation of personnel who
3 will serve children with high incidence and low
4 incidence disabilities, to prepare special edu-
5 cation and general education teachers, prin-
6 cipals, administrators, and related services per-
7 sonnel (and school board members, when appro-
8 priate) to meet the diverse and individualized
9 instructional needs of children with disabilities
10 and improve early intervention, educational, and
11 transitional services and results for children
12 with disabilities, consistent with the objectives
13 described in subsection (a); and

14 “(B) for enhanced support for beginning
15 special educators, consistent with the objectives
16 described in subsection (a).

17 “(2) PERSONNEL DEVELOPMENT.—In carrying
18 out paragraph (1)(A), the Secretary shall support
19 not less than 1 of the following activities:

20 “(A) Assisting effective existing, improving
21 existing, or developing new, collaborative per-
22 sonnel preparation activities undertaken by in-
23 stitutions of higher education, local educational
24 agencies, and other local entities that incor-
25 porate best practices and scientifically based re-

1 search, where applicable, in providing special
2 education and general education teachers, prin-
3 cipals, administrators, and related services per-
4 sonnel with the knowledge and skills to effec-
5 tively support students with disabilities,
6 including—

7 “(i) working collaboratively in regular
8 classroom settings;

9 “(ii) using appropriate supports, ac-
10 commodated, and curriculum modifica-
11 tions;

12 “(iii) implementing effective teaching
13 strategies, classroom-based techniques, and
14 interventions to ensure appropriate identi-
15 fication of students who may be eligible for
16 special education services, and to prevent
17 the misidentification, inappropriate over-
18 identification, or underidentification of
19 children as having a disability, especially
20 minority and limited English proficient
21 children;

22 “(iv) effectively working with and in-
23 volving parents in the education of their
24 children;

1 “(v) utilizing strategies, including
2 positive behavioral interventions, for ad-
3 dressing the conduct of children with dis-
4 abilities that impedes their learning and
5 that of others in the classroom;

6 “(vi) effectively constructing IEPs,
7 participating in IEP meetings, and imple-
8 menting IEPs;

9 “(vii) preparing children with disabil-
10 ities to participate in statewide assess-
11 ments (with or without accommodations)
12 and alternate assessments, as appropriate,
13 and to ensure that all children with disabil-
14 ities are a part of all accountability sys-
15 tems under the Elementary and Secondary
16 Education Act of 1965; and

17 “(viii) working in high need elemen-
18 tary schools and secondary schools, includ-
19 ing urban schools, rural schools, and
20 schools operated by an entity described in
21 section 7113(d)(1)(A)(ii) of the Elemen-
22 tary and Secondary Education Act of
23 1965, and schools that serve high numbers
24 or percentages of limited English proficient
25 children.

1 “(B) Developing, evaluating, and dissemi-
2 nating innovative models for the recruitment,
3 induction, retention, and assessment of new,
4 highly qualified teachers to reduce teacher
5 shortages, especially from groups that are
6 underrepresented in the teaching profession, in-
7 cluding individuals with disabilities.

8 “(C) Providing continuous personnel prep-
9 aration, training, and professional development
10 designed to provide support and ensure reten-
11 tion of special education and general education
12 teachers and personnel who teach and provide
13 related services to children with disabilities.

14 “(D) Developing and improving programs
15 for paraprofessionals to become special edu-
16 cation teachers, related services personnel, and
17 early intervention personnel, including inter-
18 disciplinary training to enable the paraprofes-
19 sionals to improve early intervention, edu-
20 cational, and transitional results for children
21 with disabilities.

22 “(E) In the case of principals and super-
23 intendents, providing activities to promote in-
24 structional leadership and improved collabora-

1 tion between general educators, special edu-
2 cation teachers, and related services personnel.

3 “(F) Supporting institutions of higher edu-
4 cation with minority enrollments of not less
5 than 25 percent for the purpose of preparing
6 personnel to work with children with disabil-
7 ities.

8 “(G) Developing and improving programs
9 to train special education teachers to develop an
10 expertise in autism spectrum disorders.

11 “(H) Providing continuous personnel prep-
12 aration, training, and professional development
13 designed to provide support and improve the
14 qualifications of personnel who provide related
15 services to children with disabilities, including
16 to enable such personnel to obtain advanced de-
17 grees.

18 “(3) ENHANCED SUPPORT FOR BEGINNING SPE-
19 CIAL EDUCATORS.—In carrying out paragraph
20 (1)(B), the Secretary shall support not less than 1
21 of the following activities:

22 “(A) Enhancing and restructuring existing
23 programs or developing preservice teacher edu-
24 cation programs to prepare special education
25 teachers, at colleges or departments of edu-

1 cation within institutions of higher education,
2 by incorporating an extended (such as an addi-
3 tional 5th year) clinical learning opportunity,
4 field experience, or supervised practicum into
5 such programs.

6 “(B) Creating or supporting teacher-fac-
7 ulty partnerships (such as professional develop-
8 ment schools) that—

9 “(i) consist of not less than—

10 “(I) 1 or more institutions of
11 higher education with special edu-
12 cation personnel preparation pro-
13 grams;

14 “(II) 1 or more local educational
15 agencies that serve high numbers or
16 percentages of low-income students; or

17 “(III) 1 or more elementary
18 schools or secondary schools, particu-
19 larly schools that have failed to make
20 adequate yearly progress on the basis,
21 in whole and in part, of the assess-
22 ment results of the disaggregated sub-
23 group of students with disabilities;

24 “(ii) may include other entities eligible
25 for assistance under this part; and

1 “(iii) provide—

2 “(I) high-quality mentoring and
3 induction opportunities with ongoing
4 support for beginning special edu-
5 cation teachers; or

6 “(II) inservice professional devel-
7 opment to beginning and veteran spe-
8 cial education teachers through the
9 ongoing exchange of information and
10 instructional strategies with faculty.

11 “(c) LOW INCIDENCE DISABILITIES; AUTHORIZED
12 ACTIVITIES.—

13 “(1) IN GENERAL.—In carrying out this sec-
14 tion, the Secretary shall support activities, consistent
15 with the objectives described in subsection (a), that
16 benefit children with low incidence disabilities.

17 “(2) AUTHORIZED ACTIVITIES.—Activities that
18 may be carried out under this subsection include ac-
19 tivities such as the following:

20 “(A) Preparing persons who—

21 “(i) have prior training in educational
22 and other related service fields; and

23 “(ii) are studying to obtain degrees,
24 certificates, or licensure that will enable
25 the persons to assist children with low inci-

1 dence disabilities to achieve the objectives
2 set out in their individualized education
3 programs described in section 614(d), or to
4 assist infants and toddlers with low inci-
5 dence disabilities to achieve the outcomes
6 described in their individualized family
7 service plans described in section 636.

8 “(B) Providing personnel from various dis-
9 ciplines with interdisciplinary training that will
10 contribute to improvement in early intervention,
11 educational, and transitional results for children
12 with low incidence disabilities.

13 “(C) Preparing personnel in the innovative
14 uses and application of technology, including
15 universally designed technologies, assistive tech-
16 nology devices, and assistive technology
17 services—

18 “(i) to enhance learning by children
19 with low incidence disabilities through
20 early intervention, educational, and transi-
21 tional services; and

22 “(ii) to improve communication with
23 parents.

24 “(D) Preparing personnel who provide
25 services to visually impaired or blind children to

1 teach and use Braille in the provision of serv-
2 ices to such children.

3 “(E) Preparing personnel to be qualified
4 educational interpreters, to assist children with
5 low incidence disabilities, particularly deaf and
6 hard of hearing children in school and school
7 related activities, and deaf and hard of hearing
8 infants and toddlers and preschool children in
9 early intervention and preschool programs.

10 “(F) Preparing personnel who provide
11 services to children with significant cognitive
12 disabilities and children with multiple disabil-
13 ities.

14 “(G) Preparing personnel who provide
15 services to children with low incidence disabil-
16 ities and limited English proficient children.

17 “(3) DEFINITION.—In this section, the term
18 ‘low incidence disability’ means—

19 “(A) a visual or hearing impairment, or si-
20 multaneous visual and hearing impairments;

21 “(B) a significant cognitive impairment; or

22 “(C) any impairment for which a small
23 number of personnel with highly specialized
24 skills and knowledge are needed in order for
25 children with that impairment to receive early

1 intervention services or a free appropriate pub-
2 lic education.

3 “(4) SELECTION OF RECIPIENTS.—In selecting
4 eligible entities for assistance under this subsection,
5 the Secretary may give preference to eligible entities
6 submitting applications that include 1 or more of the
7 following:

8 “(A) A proposal to prepare personnel in
9 more than 1 low incidence disability, such as
10 deafness and blindness.

11 “(B) A demonstration of an effective col-
12 laboration between an eligible entity and a local
13 educational agency that promotes recruitment
14 and subsequent retention of highly qualified
15 personnel to serve children with low incidence
16 disabilities.

17 “(5) PREPARATION IN USE OF BRAILLE.—The
18 Secretary shall ensure that all recipients of awards
19 under this subsection who will use that assistance to
20 prepare personnel to provide services to visually im-
21 paired or blind children that can appropriately be
22 provided in Braille, will prepare those individuals to
23 provide those services in Braille.

24 “(d) LEADERSHIP PREPARATION; AUTHORIZED AC-
25 TIVITIES.—

1 “(1) IN GENERAL.—In carrying out this sec-
2 tion, the Secretary shall support leadership prepara-
3 tion activities that are consistent with the objectives
4 described in subsection (a).

5 “(2) AUTHORIZED ACTIVITIES.—Activities that
6 may be carried out under this subsection include ac-
7 tivities such as the following:

8 “(A) Preparing personnel at the graduate,
9 doctoral, and postdoctoral levels of training to
10 administer, enhance, or provide services to im-
11 prove results for children with disabilities.

12 “(B) Providing interdisciplinary training
13 for various types of leadership personnel, in-
14 cluding teacher preparation faculty, related
15 services faculty, administrators, researchers, su-
16 pervisors, principals, and other persons whose
17 work affects early intervention, educational, and
18 transitional services for children with disabil-
19 ities, including children with disabilities who are
20 limited English proficient children.

21 “(e) APPLICATIONS.—

22 “(1) IN GENERAL.—An eligible entity that
23 wishes to receive a grant, or enter into a contract or
24 cooperative agreement, under this section shall sub-
25 mit an application to the Secretary at such time, in

1 such manner, and containing such information as
2 the Secretary may require.

3 “(2) IDENTIFIED STATE NEEDS.—

4 “(A) REQUIREMENT TO ADDRESS IDENTI-
5 FIED NEEDS.—An application for assistance
6 under subsection (b), (c), or (d) shall include
7 information demonstrating to the satisfaction of
8 the Secretary that the activities described in the
9 application will address needs identified by the
10 State or States the eligible entity proposes to
11 serve.

12 “(B) COOPERATION WITH STATE EDU-
13 CATIONAL AGENCIES.—An eligible entity that is
14 not a local educational agency or a State edu-
15 cational agency shall include in the eligible enti-
16 ty’s application information demonstrating to
17 the satisfaction of the Secretary that the eligi-
18 ble entity and 1 or more State educational
19 agencies or local educational agencies will co-
20 operate in carrying out and monitoring the pro-
21 posed project.

22 “(3) ACCEPTANCE BY STATES OF PERSONNEL
23 PREPARATION REQUIREMENTS.—The Secretary may
24 require eligible entities to provide in the eligible enti-
25 ties’ applications assurances from 1 or more States

1 that such States intend to accept successful comple-
2 tion of the proposed personnel preparation program
3 as meeting State personnel standards or other re-
4 quirements in State law or regulation for serving
5 children with disabilities or serving infants and tod-
6 dlers with disabilities.

7 “(f) SELECTION OF RECIPIENTS.—

8 “(1) IMPACT OF PROJECT.—In selecting eligible
9 entities for assistance under this section, the Sec-
10 retary shall consider the impact of the proposed
11 project described in the application in meeting the
12 need for personnel identified by the States.

13 “(2) REQUIREMENT FOR ELIGIBLE ENTITIES
14 TO MEET STATE AND PROFESSIONAL QUALIFICA-
15 TIONS.—The Secretary shall make grants and enter
16 into contracts and cooperative agreements under this
17 section only to eligible entities that meet State and
18 professionally recognized qualifications for the prep-
19 aration of special education and related services per-
20 sonnel, if the purpose of the project is to assist per-
21 sonnel in obtaining degrees.

22 “(3) PREFERENCES.—In selecting eligible enti-
23 ties for assistance under this section, the Secretary
24 may give preference to eligible entities that are insti-
25 tutions of higher education that are—

1 “(A) educating regular education personnel
2 to meet the needs of children with disabilities in
3 integrated settings;

4 “(B) educating special education personnel
5 to work in collaboration with regular educators
6 in integrated settings; and

7 “(C) successfully recruiting and preparing
8 individuals with disabilities and individuals
9 from groups that are underrepresented in the
10 profession for which the institution of higher
11 education is preparing individuals.

12 “(g) SCHOLARSHIPS.—The Secretary may include
13 funds for scholarships, with necessary stipends and allow-
14 ances, in awards under subsections (b), (c), and (d).

15 “(h) SERVICE OBLIGATION.—

16 “(1) IN GENERAL.—Each application for assist-
17 ance under subsections (b), (c), and (d) shall include
18 an assurance that the eligible entity will ensure that
19 individuals who receive a scholarship under the pro-
20 posed project agree to subsequently provide special
21 education and related services to children with dis-
22 abilities, or in the case of leadership personnel to
23 subsequently work in the appropriate field, for a pe-
24 riod of 2 years for every year for which the scholar-
25 ship was received or repay all or part of the amount

1 of the scholarship, in accordance with regulations
2 issued by the Secretary.

3 “(2) SPECIAL RULE.—Notwithstanding para-
4 graph (1), the Secretary may reduce or waive the
5 service obligation requirement under paragraph (1)
6 if the Secretary determines that the service obliga-
7 tion is acting as a deterrent to the recruitment of
8 students into special education or a related field.

9 “(3) SECRETARY’S RESPONSIBILITY.—The
10 Secretary—

11 “(A) shall ensure that individuals de-
12 scribed in paragraph (1) comply with the re-
13 quirements of that paragraph; and

14 “(B) may use not more than 0.5 percent of
15 the funds appropriated under subsection (i) for
16 each fiscal year, to carry out subparagraph (A),
17 in addition to any other funds that are available
18 for that purpose.

19 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 such sums as may be necessary for each of the fiscal years
22 2005 through 2010.

1 **“SEC. 663. TECHNICAL ASSISTANCE, DEMONSTRATION**
2 **PROJECTS, DISSEMINATION OF INFORMA-**
3 **TION, AND IMPLEMENTATION OF SCIENTIF-**
4 **ICALLY BASED RESEARCH.**

5 “(a) IN GENERAL.—The Secretary shall make com-
6 petitive grants to, or enter into contracts or cooperative
7 agreements with, eligible entities to provide technical as-
8 sistance, support model demonstration projects, dissemi-
9 nate useful information, and implement activities that are
10 supported by scientifically based research.

11 “(b) REQUIRED ACTIVITIES.—Funds received under
12 this section shall be used to support activities to improve
13 services provided under this title, including the practices
14 of professionals and others involved in providing such serv-
15 ices to children with disabilities, that promote academic
16 achievement and improve results for children with disabil-
17 ities through—

18 “(1) implementing effective strategies for ad-
19 dressing inappropriate behavior of students with dis-
20 abilities in schools, including strategies to prevent
21 children with emotional and behavioral problems
22 from developing emotional disturbances that require
23 the provision of special education and related serv-
24 ices;

25 “(2) improving the alignment, compatibility,
26 and development of valid and reliable assessments

1 and alternate assessments for assessing adequate
2 yearly progress, as described under section
3 1111(b)(2)(B) of the Elementary and Secondary
4 Education Act of 1965;

5 “(3) providing training for both regular edu-
6 cation teachers and special education teachers to ad-
7 dress the needs of students with different learning
8 styles;

9 “(4) disseminating information about innova-
10 tive, effective, and efficient curricula designs, in-
11 structional approaches, and strategies, and identi-
12 fying positive academic and social learning opportu-
13 nities, that—

14 “(A) provide effective transitions between
15 educational settings or from school to post
16 school settings; and

17 “(B) improve educational and transitional
18 results at all levels of the educational system in
19 which the activities are carried out and, in par-
20 ticular, that improve the progress of children
21 with disabilities, as measured by assessments
22 within the general education curriculum in-
23 volved; and

24 “(5) applying scientifically based findings to fa-
25 cilitate systemic changes, related to the provision of

1 services to children with disabilities, in policy, proce-
2 dure, practice, and the training and use of per-
3 sonnel.

4 “(c) AUTHORIZED ACTIVITIES.—Activities that may
5 be carried out under this section include activities to im-
6 prove services provided under this title, including the prac-
7 tices of professionals and others involved in providing such
8 services to children with disabilities, that promote aca-
9 demic achievement and improve results for children with
10 disabilities through—

11 “(1) applying and testing research findings in
12 typical settings where children with disabilities re-
13 ceive services to determine the usefulness, effective-
14 ness, and general applicability of such research find-
15 ings in such areas as improving instructional meth-
16 ods, curricula, and tools, such as textbooks and
17 media;

18 “(2) supporting and promoting the coordination
19 of early intervention and educational services for
20 children with disabilities with services provided by
21 health, rehabilitation, and social service agencies;

22 “(3) promoting improved alignment and com-
23 patibility of general and special education reforms
24 concerned with curricular and instructional reform,
25 and evaluation of such reforms;

1 “(4) enabling professionals, parents of children
2 with disabilities, and other persons to learn about,
3 and implement, the findings of scientifically based
4 research, and successful practices developed in model
5 demonstration projects, relating to the provision of
6 services to children with disabilities;

7 “(5) conducting outreach, and disseminating in-
8 formation, relating to successful approaches to over-
9 coming systemic barriers to the effective and effi-
10 cient delivery of early intervention, educational, and
11 transitional services to personnel who provide serv-
12 ices to children with disabilities;

13 “(6) assisting States and local educational
14 agencies with the process of planning systemic
15 changes that will promote improved early interven-
16 tion, educational, and transitional results for chil-
17 dren with disabilities;

18 “(7) promoting change through a multistate or
19 regional framework that benefits States, local edu-
20 cational agencies, and other participants in partner-
21 ships that are in the process of achieving systemic-
22 change outcomes;

23 “(8) focusing on the needs and issues that are
24 specific to a population of children with disabilities,

1 such as providing single-State and multi-State tech-
2 nical assistance and in-service training—

3 “(A) to schools and agencies serving deaf-
4 blind children and their families;

5 “(B) to programs and agencies serving
6 other groups of children with low incidence dis-
7 abilities and their families;

8 “(C) addressing the postsecondary edu-
9 cation needs of individuals who are deaf or
10 hard-of-hearing; and

11 “(D) to schools and personnel providing
12 special education and related services for chil-
13 dren with autism spectrum disorders;

14 “(9) demonstrating models of personnel prepa-
15 ration to ensure appropriate placements and services
16 for all students and to reduce disproportionality in
17 eligibility, placement, and disciplinary actions for mi-
18 nority and limited English proficient children; and

19 “(10) disseminating information on how to re-
20 duce inappropriate racial and ethnic
21 disproportionalities identified under section 618.

22 “(d) BALANCE AMONG ACTIVITIES AND AGE
23 RANGES.—In carrying out this section, the Secretary shall
24 ensure that there is an appropriate balance across all age
25 ranges of children with disabilities.

1 “(e) LINKING STATES TO INFORMATION SOURCES.—

2 In carrying out this section, the Secretary shall support
3 projects that link States to technical assistance resources,
4 including special education and general education re-
5 sources, and shall make research and related products
6 available through libraries, electronic networks, parent
7 training projects, and other information sources, including
8 through the activities of the National Center for Edu-
9 cation Evaluation and Regional Assistance established
10 under part D of the Education Sciences Reform Act of
11 2002.

12 “(f) APPLICATIONS.—

13 “(1) IN GENERAL.—An eligible entity that
14 wishes to receive a grant, or enter into a contract or
15 cooperative agreement, under this section shall sub-
16 mit an application to the Secretary at such time, in
17 such manner, and containing such information as
18 the Secretary may require.

19 “(2) STANDARDS.—To the maximum extent
20 feasible, each eligible entity shall demonstrate that
21 the project described in the eligible entity’s applica-
22 tion is supported by scientifically valid research that
23 has been carried out in accordance with the stand-
24 ards for the conduct and evaluation of all relevant

1 research and development established by the Na-
2 tional Center for Education Research.

3 “(3) PRIORITY.—As appropriate, the Secretary
4 shall give priority to applications that propose to
5 serve teachers and school personnel directly in the
6 school environment.

7 **“SEC. 664. STUDIES AND EVALUATIONS.**

8 “(a) STUDIES AND EVALUATIONS.—

9 “(1) DELEGATION.—The Secretary shall dele-
10 gate to the Director of the Institute of Education
11 Sciences responsibility to carry out this section,
12 other than subsections (d) and (f).

13 “(2) ASSESSMENT.—The Secretary shall, di-
14 rectly or through grants, contracts, or cooperative
15 agreements awarded to eligible entities on a competi-
16 tive basis, assess the progress in the implementation
17 of this title, including the effectiveness of State and
18 local efforts to provide—

19 “(A) a free appropriate public education to
20 children with disabilities; and

21 “(B) early intervention services to infants
22 and toddlers with disabilities, and infants and
23 toddlers who would be at risk of having sub-
24 stantial developmental delays if early interven-

1 tion services were not provided to the infants
2 and toddlers.

3 “(b) ASSESSMENT OF NATIONAL ACTIVITIES.—

4 “(1) IN GENERAL.—The Secretary shall carry
5 out a national assessment of activities carried out
6 with Federal funds under this title in order—

7 “(A) to determine the effectiveness of this
8 title in achieving the purposes of this title;

9 “(B) to provide timely information to the
10 President, Congress, the States, local edu-
11 cational agencies, and the public on how to im-
12 plement this title more effectively; and

13 “(C) to provide the President and Con-
14 gress with information that will be useful in de-
15 veloping legislation to achieve the purposes of
16 this title more effectively.

17 “(2) SCOPE OF ASSESSMENT.—The national as-
18 sessment shall assess activities supported under this
19 title, including—

20 “(A) the implementation of programs as-
21 sisted under this title and the impact of such
22 programs on addressing the developmental
23 needs of, and improving the academic achieve-
24 ment of, children with disabilities to enable the
25 children to reach challenging developmental

1 goals and challenging State academic content
2 standards based on State academic assess-
3 ments;

4 “(B) the types of programs and services
5 that have demonstrated the greatest likelihood
6 of helping students reach the challenging State
7 academic content standards and developmental
8 goals;

9 “(C) the implementation of the profes-
10 sional development activities assisted under this
11 title and the impact on instruction, student aca-
12 demic achievement, and teacher qualifications
13 to enhance the ability of special education
14 teachers and regular education teachers to im-
15 prove results for children with disabilities; and

16 “(D) the effectiveness of schools, local edu-
17 cational agencies, States, other recipients of as-
18 sistance under this title, and the Secretary in
19 achieving the purposes of this title by—

20 “(i) improving the academic achieve-
21 ment of children with disabilities and their
22 performance on regular statewide assess-
23 ments as compared to nondisabled chil-
24 dren, and the performance of children with
25 disabilities on alternate assessments;

1 “(ii) improving the participation of
2 children with disabilities in the general
3 education curriculum;

4 “(iii) improving the transitions of chil-
5 dren with disabilities at natural transition
6 points;

7 “(iv) placing and serving children with
8 disabilities, including minority children, in
9 the least restrictive environment appro-
10 priate;

11 “(v) preventing children with disabil-
12 ities, especially children with emotional dis-
13 turbances and specific learning disabilities,
14 from dropping out of school;

15 “(vi) addressing the reading and lit-
16 eracy needs of children with disabilities;

17 “(vii) reducing the inappropriate over-
18 identification of children, especially minor-
19 ity and limited English proficient children,
20 as having a disability;

21 “(viii) improving the participation of
22 parents of children with disabilities in the
23 education of their children; and

24 “(ix) resolving disagreements between
25 education personnel and parents through

1 alternate dispute resolution activities, in-
2 cluding mediation.

3 “(3) INTERIM AND FINAL REPORTS.—The Sec-
4 retary shall submit to the President and Congress—

5 “(A) an interim report that summarizes
6 the preliminary findings of the assessment not
7 later than 3 years after the date of enactment
8 of the Individuals with Disabilities Education
9 Improvement Act of 2004; and

10 “(B) a final report of the findings of the
11 assessment not later than 5 years after the date
12 of enactment of such Act.

13 “(c) STUDY ON ENSURING ACCOUNTABILITY FOR
14 STUDENTS WHO ARE HELD TO ALTERNATIVE ACHIEVE-
15 MENT STANDARDS.—The Secretary shall carry out a na-
16 tional study or studies to examine—

17 “(1) the criteria that States use to determine—

18 “(A) eligibility for alternate assessments;
19 and

20 “(B) the number and type of children who
21 take those assessments and are held account-
22 able to alternative achievement standards;

23 “(2) the validity and reliability of alternate as-
24 sessment instruments and procedures;

1 “(3) the alignment of alternate assessments and
2 alternative achievement standards to State academic
3 content standards in reading, mathematics, and
4 science; and

5 “(4) the use and effectiveness of alternate as-
6 sessments in appropriately measuring student
7 progress and outcomes specific to individualized in-
8 structional need.

9 “(d) ANNUAL REPORT.—The Secretary shall provide
10 an annual report to Congress that—

11 “(1) summarizes the research conducted under
12 part E of the Education Sciences Reform Act of
13 2002;

14 “(2) analyzes and summarizes the data re-
15 ported by the States and the Secretary of the Inte-
16 rior under section 618;

17 “(3) summarizes the studies and evaluations
18 conducted under this section and the timeline for
19 their completion;

20 “(4) describes the extent and progress of the
21 assessment of national activities; and

22 “(5) describes the findings and determinations
23 resulting from reviews of State implementation of
24 this title.

1 “(e) AUTHORIZED ACTIVITIES.—In carrying out this
2 section, the Secretary may support objective studies, eval-
3 uations, and assessments, including studies that—

4 “(1) analyze measurable impact, outcomes, and
5 results achieved by State educational agencies and
6 local educational agencies through their activities to
7 reform policies, procedures, and practices designed
8 to improve educational and transitional services and
9 results for children with disabilities;

10 “(2) analyze State and local needs for profes-
11 sional development, parent training, and other ap-
12 propriate activities that can reduce the need for dis-
13 ciplinary actions involving children with disabilities;

14 “(3) assess educational and transitional services
15 and results for children with disabilities from minor-
16 ity backgrounds, including—

17 “(A) data on—

18 “(i) the number of minority children
19 who are referred for special education eval-
20 uation;

21 “(ii) the number of minority children
22 who are receiving special education and re-
23 lated services and their educational or
24 other service placement;

1 “(iii) the number of minority children
2 who graduated from secondary programs
3 with a regular diploma in the standard
4 number of years; and

5 “(iv) the number of minority children
6 who drop out of the educational system;
7 and

8 “(B) the performance of children with dis-
9 abilities from minority backgrounds on State
10 assessments and other performance indicators
11 established for all students;

12 “(4) measure educational and transitional serv-
13 ices and results for children with disabilities served
14 under this title, including longitudinal studies that—

15 “(A) examine educational and transitional
16 services and results for children with disabilities
17 who are 3 through 17 years of age and are re-
18 ceiving special education and related services
19 under this title, using a national, representative
20 sample of distinct age cohorts and disability
21 categories; and

22 “(B) examine educational results, transi-
23 tion services, postsecondary placement, and em-
24 ployment status for individuals with disabilities,
25 18 through 21 years of age, who are receiving

1 or have received special education and related
2 services under this title; and

3 “(5) identify and report on the placement of
4 children with disabilities by disability category.

5 “(f) STUDY.—The Secretary shall study, and report
6 to Congress regarding, the extent to which States adopt
7 policies described in section 635(c)(1) and on the effects
8 of those policies.

9 **“SEC. 665. INTERIM ALTERNATIVE EDUCATIONAL SET-**
10 **TINGS, BEHAVIORAL SUPPORTS, AND SYS-**
11 **TEMIC SCHOOL INTERVENTIONS.**

12 “(a) PROGRAM AUTHORIZED.—The Secretary may
13 award grants, and enter into contracts and cooperative
14 agreements, to support safe learning environments that
15 support academic achievement for all students by—

16 “(1) improving the quality of interim alter-
17 native educational settings; and

18 “(2) providing increased behavioral supports
19 and research-based, systemic interventions in
20 schools.

21 “(b) AUTHORIZED ACTIVITIES.—In carrying out this
22 section, the Secretary may support activities to—

23 “(1) establish, expand, or increase the scope of
24 behavioral supports and systemic interventions by

1 providing for effective, research-based practices,
2 including—

3 “(A) training for school staff on early
4 identification, prereferral, and referral proce-
5 dures;

6 “(B) training for administrators, teachers,
7 related services personnel, behavioral specialists,
8 and other school staff in positive behavioral
9 interventions and supports, behavioral interven-
10 tion planning, and classroom and student man-
11 agement techniques;

12 “(C) joint training for administrators, par-
13 ents, teachers, related services personnel, behav-
14 ioral specialists, and other school staff on effec-
15 tive strategies for positive behavioral interven-
16 tions and behavior management strategies that
17 focus on the prevention of behavior problems;

18 “(D) developing or implementing specific
19 curricula, programs, or interventions aimed at
20 addressing behavioral problems;

21 “(E) stronger linkages between school-
22 based services and community-based resources,
23 such as community mental health and primary
24 care providers; or

1 “(F) using behavioral specialists, related
2 services personnel, and other staff necessary to
3 implement behavioral supports; or

4 “(2) improve interim alternative educational
5 settings by—

6 “(A) improving the training of administra-
7 tors, teachers, related services personnel, behav-
8 ioral specialists, and other school staff (includ-
9 ing ongoing mentoring of new teachers) in be-
10 havioral supports and interventions;

11 “(B) attracting and retaining a high qual-
12 ity, diverse staff;

13 “(C) providing for referral to counseling
14 services;

15 “(D) utilizing research-based interventions,
16 curriculum, and practices;

17 “(E) allowing students to use instructional
18 technology that provides individualized instruc-
19 tion;

20 “(F) ensuring that the services are fully
21 consistent with the goals of the individual stu-
22 dent’s IEP;

23 “(G) promoting effective case management
24 and collaboration among parents, teachers, phy-
25 sicians, related services personnel, behavioral

1 specialists, principals, administrators, and other
2 school staff;

3 “(H) promoting interagency coordination
4 and coordinated service delivery among schools,
5 juvenile courts, child welfare agencies, commu-
6 nity mental health providers, primary care pro-
7 viders, public recreation agencies, and commu-
8 nity-based organizations; or

9 “(I) providing for behavioral specialists to
10 help students transitioning from interim alter-
11 native educational settings reintegrate into their
12 regular classrooms.

13 “(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
14 tion, the term “eligible entity” means—

15 “(1) a local educational agency; or

16 “(2) a consortium consisting of a local edu-
17 cational agency and 1 or more of the following enti-
18 ties:

19 “(A) Another local educational agency.

20 “(B) A community-based organization with
21 a demonstrated record of effectiveness in help-
22 ing children with disabilities who have behav-
23 ioral challenges succeed.

24 “(C) An institution of higher education.

25 “(D) A community mental health provider.

1 “(E) An educational service agency.

2 “(d) APPLICATIONS.—Any eligible entity that wishes
3 to receive a grant, or enter into a contract or cooperative
4 agreement, under this section shall—

5 “(1) submit an application to the Secretary at
6 such time, in such manner, and containing such in-
7 formation as the Secretary may require; and

8 “(2) involve parents of participating students in
9 the design and implementation of the activities fund-
10 ed under this section.

11 “(e) REPORT AND EVALUATION.—Each eligible enti-
12 ty receiving a grant under this section shall prepare and
13 submit annually to the Secretary a report on the outcomes
14 of the activities assisted under the grant.

15 **“SEC. 667. AUTHORIZATION OF APPROPRIATIONS.**

16 “(a) IN GENERAL.—There are authorized to be ap-
17 propriated to carry out this subpart (other than section
18 662) such sums as may be necessary for each of the fiscal
19 years 2005 through 2010.

20 “(b) RESERVATION.—From amounts appropriated
21 under subsection (a) for fiscal year 2005, the Secretary
22 shall reserve \$1,000,000 to carry out the study authorized
23 in section 664(c). From amounts appropriated under sub-
24 section (a) for a succeeding fiscal year, the Secretary may
25 reserve an additional amount to carry out such study if

1 the Secretary determines the additional amount is nec-
2 essary.

3 **“Subpart 3—Supports To Improve Results for**
4 **Children With Disabilities**

5 **“SEC. 670. PURPOSES.**

6 “The purposes of this subpart are to ensure that—

7 “(1) children with disabilities and their parents
8 receive training and information designed to assist
9 the children in meeting developmental and functional
10 goals and challenging academic achievement goals,
11 and in preparing to lead productive independent
12 adult lives;

13 “(2) children with disabilities and their parents
14 receive training and information on their rights, re-
15 sponsibilities, and protections under this title, in
16 order to develop the skills necessary to cooperatively
17 and effectively participate in planning and decision
18 making relating to early intervention, educational,
19 and transitional services;

20 “(3) parents, teachers, administrators, early
21 intervention personnel, related services personnel,
22 and transition personnel receive coordinated and ac-
23 cessible technical assistance and information to as-
24 sist such personnel in improving early intervention,

1 educational, and transitional services and results for
2 children with disabilities and their families; and

3 “(4) appropriate technology and media are re-
4 searched, developed, and demonstrated, to improve
5 and implement early intervention, educational, and
6 transitional services and results for children with
7 disabilities and their families.

8 **“SEC. 671. PARENT TRAINING AND INFORMATION CENTERS.**

9 “(a) PROGRAM AUTHORIZED.—

10 “(1) IN GENERAL.—The Secretary may award
11 grants to, and enter into contracts and cooperative
12 agreements with, parent organizations to support
13 parent training and information centers to carry out
14 activities under this section.

15 “(2) DEFINITION OF PARENT ORGANIZATION.—

16 In this section, the term ‘parent organization’ means
17 a private nonprofit organization (other than an insti-
18 tution of higher education) that—

19 “(A) has a board of directors—

20 “(i) the majority of whom are parents
21 of children with disabilities ages birth
22 through 26;

23 “(ii) that includes—

“(I) individuals working in the fields of special education, related services, and early intervention; and

4 “(II) individuals with disabilities;
5 and

6 “(iii) the parent and professional
7 members of which are broadly representa-
8 tive of the population to be served, includ-
9 ing low-income parents and parents of lim-
10 ited English proficient children; and

11 “(B) has as its mission serving families of
12 children with disabilities who—

13 “(i) are ages birth through 26; and

14 “(ii) have the full range of disabilities
15 described in section 602(3).

16 “(b) REQUIRED ACTIVITIES.—Each parent training
17 and information center that receives assistance under this
18 section shall—

“(1) provide training and information that meets the needs of parents of children with disabilities living in the area served by the center, particularly underserved parents and parents of children who may be inappropriately identified, to enable their children with disabilities to—

1 “(A) meet developmental and functional
2 goals, and challenging academic achievement
3 goals that have been established for all children;
4 and

5 “(B) be prepared to lead productive inde-
6 pendent adult lives, to the maximum extent pos-
7 sible;

8 “(2) serve the parents of infants, toddlers, and
9 children with the full range of disabilities described
10 in section 602(3);

11 “(3) ensure that the training and information
12 provided meets the needs of low-income parents and
13 parents of limited English proficient children;

14 “(4) assist parents to—

15 “(A) better understand the nature of their
16 children’s disabilities and their educational, de-
17 velopmental, and transitional needs;

18 “(B) communicate effectively and work col-
19 laboratively with personnel responsible for pro-
20 viding special education, early intervention serv-
21 ices, transition services, and related services;

22 “(C) participate in decisionmaking proc-
23 esses and the development of individualized
24 education programs under part B and individ-
25 ualized family service plans under part C;

1 “(D) obtain appropriate information about
2 the range, type, and quality of—

3 “(i) options, programs, services, tech-
4 nologies, practices and interventions based
5 on scientifically based research, to the ex-
6 tent practicable; and

7 “(ii) resources available to assist chil-
8 dren with disabilities and their families in
9 school and at home;

10 “(E) understand the provisions of this title
11 for the education of, and the provision of early
12 intervention services to, children with disabil-
13 ities;

14 “(F) participate in activities at the school
15 level that benefit their children; and

16 “(G) participate in school reform activities;

17 “(5) in States where the State elects to contract
18 with the parent training and information center,
19 contract with State educational agencies to provide,
20 consistent with subparagraphs (B) and (D) of sec-
21 tion 615(e)(2), individuals who meet with parents to
22 explain the mediation process to the parents;

23 “(6) assist parents in resolving disputes in the
24 most expeditious and effective way possible, includ-
25 ing encouraging the use, and explaining the benefits,

1 of alternative methods of dispute resolution, such as
2 the mediation process described in section 615(e);

3 “(7) assist parents and students with disabili-
4 ties to understand their rights and responsibilities
5 under this title, including those under section
6 615(m) upon the student’s reaching the age of ma-
7 jority (as appropriate under State law);

8 “(8) assist parents to understand the avail-
9 ability of, and how to effectively use, procedural
10 safeguards under this title, including the resolution
11 session described in section 615(e);

12 “(9) assist parents in understanding, preparing
13 for, and participating in, the process described in
14 section 615(f)(1)(B);

15 “(10) establish cooperative partnerships with
16 community parent resource centers funded under
17 section 672;

18 “(11) network with appropriate clearinghouses,
19 including organizations conducting national dissemi-
20 nation activities under section 663 and the Institute
21 of Education Sciences, and with other national,
22 State, and local organizations and agencies, such as
23 protection and advocacy agencies, that serve parents
24 and families of children with the full range of dis-
25 abilities described in section 602(3); and

1 “(12) annually report to the Secretary on—

2 “(A) the number and demographics of par-
3 ents to whom the center provided information
4 and training in the most recently concluded fis-
5 cal year;

6 “(B) the effectiveness of strategies used to
7 reach and serve parents, including underserved
8 parents of children with disabilities; and

9 “(C) the number of parents served who
10 have resolved disputes through alternative
11 methods of dispute resolution.

12 “(c) OPTIONAL ACTIVITIES.—A parent training and
13 information center that receives assistance under this sec-
14 tion may provide information to teachers and other profes-
15 sionals to assist the teachers and professionals in improv-
16 ing results for children with disabilities.

17 “(d) APPLICATION REQUIREMENTS.—Each applica-
18 tion for assistance under this section shall identify with
19 specificity the special efforts that the parent organization
20 will undertake—

21 “(1) to ensure that the needs for training and
22 information of underserved parents of children with
23 disabilities in the area to be served are effectively
24 met; and

1 “(2) to work with community based organiza-
2 tions, including community based organizations that
3 work with low-income parents and parents of limited
4 English proficient children.

5 “(e) DISTRIBUTION OF FUNDS.—

6 “(1) IN GENERAL.—The Secretary shall—

7 “(A) make not less than 1 award to a par-
8 ent organization in each State for a parent
9 training and information center that is des-
10 ignated as the statewide parent training and in-
11 formation center; or

12 “(B) in the case of a large State, make
13 awards to multiple parent training and informa-
14 tion centers, but only if the centers demonstrate
15 that coordinated services and supports will
16 occur among the multiple centers.

17 “(2) SELECTION REQUIREMENT.—The Sec-
18 retary shall select among applications submitted by
19 parent organizations in a State in a manner that en-
20 sures the most effective assistance to parents, in-
21 cluding parents in urban and rural areas, in the
22 State.

23 “(f) QUARTERLY REVIEW.—

24 “(1) MEETINGS.—The board of directors of
25 each parent organization that receives an award

1 under this section shall meet not less than once in
2 each calendar quarter to review the activities for
3 which the award was made.

4 “(2) CONTINUATION AWARD.—When a parent
5 organization requests a continuation award under
6 this section, the board of directors shall submit to
7 the Secretary a written review of the parent training
8 and information program conducted by the parent
9 organization during the preceding fiscal year.

10 **“SEC. 672. COMMUNITY PARENT RESOURCE CENTERS.**

11 “(a) PROGRAM AUTHORIZED.—

12 “(1) IN GENERAL.—The Secretary may award
13 grants to, and enter into contracts and cooperative
14 agreements with, local parent organizations to sup-
15 port community parent resource centers that will
16 help ensure that underserved parents of children
17 with disabilities, including low income parents, par-
18 ents of limited English proficient children, and par-
19 ents with disabilities, have the training and informa-
20 tion the parents need to enable the parents to par-
21 ticipate effectively in helping their children with
22 disabilities—

23 “(A) to meet developmental and functional
24 goals, and challenging academic achievement

1 goals that have been established for all children;
2 and

3 “(B) to be prepared to lead productive
4 independent adult lives, to the maximum extent
5 possible.

6 “(2) DEFINITION OF LOCAL PARENT ORGANIZA-
7 TION.—In this section, the term ‘local parent organi-
8 zation’ means a parent organization, as defined in
9 section 671(a)(2), that—

10 “(A) has a board of directors the majority
11 of whom are parents of children with disabilities
12 ages birth through 26 from the community to
13 be served; and

14 “(B) has as its mission serving parents of
15 children with disabilities who—

16 “(i) are ages birth through 26; and

17 “(ii) have the full range of disabilities
18 described in section 602(3).

19 “(b) REQUIRED ACTIVITIES.—Each community par-
20 ent resource center assisted under this section shall—

21 “(1) provide training and information that
22 meets the training and information needs of parents
23 of children with disabilities proposed to be served by
24 the grant, contract, or cooperative agreement;

1 “(2) carry out the activities required of parent
2 training and information centers under paragraphs
3 (2) through (9) of section 671(b);

4 “(3) establish cooperative partnerships with the
5 parent training and information centers funded
6 under section 671; and

7 “(4) be designed to meet the specific needs of
8 families who experience significant isolation from
9 available sources of information and support.

10 **“SEC. 673. TECHNICAL ASSISTANCE FOR PARENT TRAINING**
11 **AND INFORMATION CENTERS.**

12 “(a) PROGRAM AUTHORIZED.—

13 “(1) IN GENERAL.—The Secretary may, di-
14 rectly or through awards to eligible entities, provide
15 technical assistance for developing, assisting, and co-
16 ordinating parent training and information pro-
17 grams carried out by parent training and informa-
18 tion centers receiving assistance under section 671
19 and community parent resource centers receiving as-
20 sistance under section 672.

21 “(2) DEFINITION OF ELIGIBLE ENTITY.—In
22 this section, the term ‘eligible entity’ has the mean-
23 ing given the term in section 661(b).

24 “(b) AUTHORIZED ACTIVITIES.—The Secretary may
25 provide technical assistance to a parent training and infor-

1 mation center or a community parent resource center

2 under this section in areas such as—

3 “(1) effective coordination of parent training ef-

4 forts;

5 “(2) dissemination of scientifically based re-

6 search and information;

7 “(3) promotion of the use of technology, includ-

8 ing assistive technology devices and assistive tech-

9 nology services;

10 “(4) reaching underserved populations, includ-

11 ing parents of low-income and limited English pro-

12 ficient children with disabilities;

13 “(5) including children with disabilities in gen-

14 eral education programs;

15 “(6) facilitation of transitions from—

16 “(A) early intervention services to pre-

17 school;

18 “(B) preschool to elementary school;

19 “(C) elementary school to secondary

20 school; and

21 “(D) secondary school to postsecondary en-

22 vironments; and

23 “(7) promotion of alternative methods of dis-

24 pute resolution, including mediation.

1 “(c) COLLABORATION WITH THE RESOURCE CEN-
2 TERS.—Each eligible entity receiving an award under sub-
3 section (a) shall develop collaborative agreements with the
4 geographically appropriate regional resource center and,
5 as appropriate, the regional educational laboratory sup-
6 ported under section 174 of the Education Sciences Re-
7 form Act of 2002, to further parent and professional col-
8 laboration.

9 **“SEC. 674. TECHNOLOGY DEVELOPMENT, DEMONSTRATION,**
10 **AND UTILIZATION; MEDIA SERVICES; AND IN-**
11 **STRUCTIONAL MATERIALS.**

12 “(a) PROGRAM AUTHORIZED.—

13 “(1) IN GENERAL.—The Secretary, on a com-
14 petitive basis, shall award grants to, and enter into
15 contracts and cooperative agreements with, eligible
16 entities to support activities described in subsections
17 (b) and (c).

18 “(2) DEFINITION OF ELIGIBLE ENTITY.—In
19 this section, the term ‘eligible entity’ has the mean-
20 ing given the term in section 661(b).

21 “(b) TECHNOLOGY DEVELOPMENT, DEMONSTRA-
22 TION, AND USE.—

23 “(1) IN GENERAL.—In carrying out this sec-
24 tion, the Secretary shall support activities to pro-

1 mote the development, demonstration, and use of
2 technology.

3 “(2) AUTHORIZED ACTIVITIES.—The following
4 activities may be carried out under this subsection:

5 “(A) Conducting research on and pro-
6 moting the demonstration and use of innova-
7 tive, emerging, and universally designed tech-
8 nologies for children with disabilities, by im-
9 proving the transfer of technology from re-
10 search and development to practice.

11 “(B) Supporting research, development,
12 and dissemination of technology with universal
13 design features, so that the technology is acces-
14 sible to the broadest range of individuals with
15 disabilities without further modification or ad-
16 aptation.

17 “(C) Demonstrating the use of systems to
18 provide parents and teachers with information
19 and training concerning early diagnosis of,
20 intervention for, and effective teaching strate-
21 gies for, young children with reading disabil-
22 ities.

23 “(D) Supporting the use of Internet-based
24 communications for students with cognitive dis-

1 abilities in order to maximize their academic
2 and functional skills.

3 “(c) EDUCATIONAL MEDIA SERVICES.—

4 “(1) IN GENERAL.—In carrying out this sec-
5 tion, the Secretary shall support—

6 “(A) educational media activities that are
7 designed to be of educational value in the class-
8 room setting to children with disabilities;

9 “(B) providing video description, open cap-
10 tioning, or closed captioning, that is appropriate
11 for use in the classroom setting, of—

12 “(i) television programs;

13 “(ii) videos;

14 “(iii) other materials, including pro-
15 grams and materials associated with new
16 and emerging technologies, such as CDs,
17 DVDs, video streaming, and other forms of
18 multimedia; or

19 “(iv) news (but only until September
20 30, 2006);

21 “(C) distributing materials described in
22 subparagraphs (A) and (B) through such mech-
23 anisms as a loan service; and

24 “(D) providing free educational materials,
25 including textbooks, in accessible media for vis-

1 usually impaired and print disabled students in el-
2 elementary schools and secondary schools.

3 “(2) LIMITATION.—The video description, open
4 captioning, or closed captioning described in para-
5 graph (1)(B) shall be provided only when the de-
6 scription or captioning has not been previously pro-
7 vided by the producer or distributor, or has not been
8 fully funded by other sources.

9 “(d) APPLICATIONS.—

10 “(1) IN GENERAL.—Any eligible entity that
11 wishes to receive a grant, or enter into a contract or
12 cooperative agreement, under subsection (b) or (c)
13 shall submit an application to the Secretary at such
14 time, in such manner, and containing such informa-
15 tion as the Secretary may require.

16 “(2) SPECIAL RULE.—For the purpose of an
17 application for an award to carry out activities de-
18 scribed in subsection (c)(1)(D), such eligible entity
19 shall—

20 “(A) be a national, nonprofit entity with a
21 proven track record of meeting the needs of stu-
22 dents with print disabilities through services de-
23 scribed in subsection (c)(1)(D);

24 “(B) have the capacity to produce, main-
25 tain, and distribute in a timely fashion, up-to-

1 date textbooks in digital audio formats to quali-
2 fied students; and

3 “(C) have a demonstrated ability to signifi-
4 cantly leverage Federal funds through other
5 public and private contributions, as well as
6 through the expansive use of volunteers.

7 “(e) NATIONAL INSTRUCTIONAL MATERIALS ACCESS
8 CENTER.—

9 “(1) IN GENERAL.—The Secretary shall estab-
10 lish and support, through the American Printing
11 House for the Blind, a center to be known as the
12 ‘National Instructional Materials Access Center’ not
13 later than 1 year after the date of enactment of the
14 Individuals with Disabilities Education Improvement
15 Act of 2004.

16 “(2) DUTIES.—The duties of the National In-
17 structional Materials Access Center are the fol-
18 lowing:

19 “(A) To receive and maintain a catalog of
20 print instructional materials prepared in the
21 National Instructional Materials Accessibility
22 Standard, as established by the Secretary, made
23 available to such center by the textbook pub-
24 lishing industry, State educational agencies,
25 and local educational agencies.

1 “(B) To provide access to print instruc-
2 tional materials, including textbooks, in acces-
3 sible media, free of charge, to blind or other
4 persons with print disabilities in elementary
5 schools and secondary schools, in accordance
6 with such terms and procedures as the National
7 Instructional Materials Access Center may pre-
8 scribe.

9 “(C) To develop, adopt and publish proce-
10 dures to protect against copyright infringement,
11 with respect to the print instructional materials
12 provided under sections 612(a)(23) and
13 613(a)(6).

14 “(3) DEFINITIONS.—In this subsection:

15 “(A) BLIND OR OTHER PERSONS WITH
16 PRINT DISABILITIES.—The term ‘blind or other
17 persons with print disabilities’ means children
18 served under this Act and who may qualify in
19 accordance with the Act entitled ‘An Act to pro-
20 vide books for the adult blind’, approved March
21 3, 1931 (2 U.S.C. 135a; 46 Stat. 1487) to re-
22 ceive books and other publications produced in
23 specialized formats.

24 “(B) NATIONAL INSTRUCTIONAL MATE-
25 RIALS ACCESSIBILITY STANDARD.—The term

1 ‘National Instructional Materials Accessibility
2 Standard’ means the standard established by
3 the Secretary to be used in the preparation of
4 electronic files suitable and used solely for effi-
5 cient conversion into specialized formats.

6 “(C) PRINT INSTRUCTIONAL MATE-
7 RIALS.—The term ‘print instructional materials’
8 means printed textbooks and related printed
9 core materials that are written and published
10 primarily for use in elementary school and sec-
11 ondary school instruction and are required by a
12 State educational agency or local educational
13 agency for use by students in the classroom.

14 “(D) SPECIALIZED FORMATS.—The term
15 ‘specialized formats’ has the meaning given the
16 term in section 121(d)(3) of title 17, United
17 States Code.

18 “(4) APPLICABILITY.—This subsection shall
19 apply to print instructional materials published after
20 the date on which the final rule establishing the Na-
21 tional Instructional Materials Accessibility Standard
22 was published in the Federal Register.

23 “(5) LIABILITY OF THE SECRETARY.—Nothing
24 in this subsection shall be construed to establish a
25 private right of action against the Secretary for fail-

1 ure to provide instructional materials directly, or for
2 failure by the National Instructional Materials Ac-
3 cess Center to perform the duties of such center, or
4 to otherwise authorize a private right of action re-
5 lated to the performance by such center, including
6 through the application of the rights of children and
7 parents established under this Act.

8 “(6) INAPPLICABILITY.—Subsections (a)
9 through (d) shall not apply to this subsection.

10 **“SEC. 675. AUTHORIZATION OF APPROPRIATIONS.**

11 “There are authorized to be appropriated to carry out
12 this subpart such sums as may be necessary for each of
13 the fiscal years 2005 through 2010.

14 **“Subpart 4—General Provisions**

15 **“SEC. 681. COMPREHENSIVE PLAN FOR SUBPARTS 2 AND 3.**

16 “(a) COMPREHENSIVE PLAN.—

17 “(1) IN GENERAL.—After receiving input from
18 interested individuals with relevant expertise, the
19 Secretary shall develop and implement a comprehen-
20 sive plan for activities carried out under subparts 2
21 and 3 in order to enhance the provision of early
22 intervention services, educational services, related
23 services, and transitional services to children with
24 disabilities under parts B and C. To the extent prac-
25 ticable, the plan shall be coordinated with the plan

1 developed pursuant to section 178(c) of the Edu-
2 cation Sciences Reform Act of 2002 and shall in-
3 clude mechanisms to address early intervention, edu-
4 cational, related service and transitional needs iden-
5 tified by State educational agencies in applications
6 submitted for State personnel development grants
7 under subpart 1 and for grants under subparts 2
8 and 3.

9 “(2) PUBLIC COMMENT.—The Secretary shall
10 provide a public comment period of not less than 45
11 days on the plan.

12 “(3) DISTRIBUTION OF FUNDS.—In imple-
13 menting the plan, the Secretary shall, to the extent
14 appropriate, ensure that funds awarded under sub-
15 parts 2 and 3 are used to carry out activities that
16 benefit, directly or indirectly, children with the full
17 range of disabilities and of all ages.

18 “(4) REPORTS TO CONGRESS.—The Secretary
19 shall annually report to Congress on the Secretary’s
20 activities under subparts 2 and 3, including an ini-
21 tial report not later than 12 months after the date
22 of enactment of the Individuals with Disabilities
23 Education Improvement Act of 2004.

24 “(b) ASSISTANCE AUTHORIZED.—The Secretary is
25 authorized to award grants to, or enter into contracts or

1 cooperative agreements with, eligible entities to enable the
2 eligible entities to carry out the purposes of such subparts
3 in accordance with the comprehensive plan described in
4 subsection (a).

5 “(c) SPECIAL POPULATIONS.—

6 “(1) APPLICATION REQUIREMENT.—In making
7 an award of a grant, contract, or cooperative agree-
8 ment under subpart 2 or 3, the Secretary shall, as
9 appropriate, require an eligible entity to demonstrate
10 how the eligible entity will address the needs of chil-
11 dren with disabilities from minority backgrounds.

12 “(2) REQUIRED OUTREACH AND TECHNICAL AS-
13 SISTANCE.—Notwithstanding any other provision of
14 this title, the Secretary shall reserve not less than 2
15 percent of the total amount of funds appropriated to
16 carry out subparts 2 and 3 for either or both of the
17 following activities:

18 “(A) Providing outreach and technical as-
19 sistance to historically Black colleges and uni-
20 versities, and to institutions of higher education
21 with minority enrollments of not less than 25
22 percent, to promote the participation of such
23 colleges, universities, and institutions in activi-
24 ties under this subpart.

1 “(B) Enabling historically Black colleges
2 and universities, and the institutions described
3 in subparagraph (A), to assist other colleges,
4 universities, institutions, and agencies in im-
5 proving educational and transitional results for
6 children with disabilities, if the historically
7 Black colleges and universities and the institu-
8 tions of higher education described in subpara-
9 graph (A) meet the criteria established by the
10 Secretary under this subpart.

11 “(d) PRIORITIES.—The Secretary, in making an
12 award of a grant, contract, or cooperative agreement
13 under subpart 2 or 3, may, without regard to the rule-
14 making procedures under section 553 of title 5, United
15 States Code, limit competitions to, or otherwise give pri-
16 ority to—

17 “(1) projects that address 1 or more—

18 “(A) age ranges;

19 “(B) disabilities;

20 “(C) school grades;

21 “(D) types of educational placements or
22 early intervention environments;

23 “(E) types of services;

24 “(F) content areas, such as reading; or

1 “(G) effective strategies for helping chil-
2 dren with disabilities learn appropriate behavior
3 in the school and other community based edu-
4 cational settings;

5 “(2) projects that address the needs of children
6 based on the severity or incidence of their disability;

7 “(3) projects that address the needs of—

8 “(A) low achieving students;

9 “(B) underserved populations;

10 “(C) children from low income families;

11 “(D) limited English proficient children;

12 “(E) unserved and underserved areas;

13 “(F) rural or urban areas;

14 “(G) children whose behavior interferes
15 with their learning and socialization;

16 “(H) children with reading difficulties;

17 “(I) children in public charter schools;

18 “(J) children who are gifted and talented;

19 or

20 “(K) children with disabilities served by
21 local educational agencies that receive payments
22 under title VIII of the Elementary and Sec-
23 ondary Education Act of 1965;

1 “(4) projects to reduce inappropriate identifica-
2 tion of children as children with disabilities, particu-
3 larly among minority children;

4 “(5) projects that are carried out in particular
5 areas of the country, to ensure broad geographic
6 coverage;

7 “(6) projects that promote the development and
8 use of technologies with universal design, assistive
9 technology devices, and assistive technology services
10 to maximize children with disabilities’ access to and
11 participation in the general education curriculum;
12 and

13 “(7) any activity that is authorized in subpart
14 2 or 3.

15 “(e) ELIGIBILITY FOR FINANCIAL ASSISTANCE.—No
16 State or local educational agency, or other public institu-
17 tion or agency, may receive a grant or enter into a con-
18 tract or cooperative agreement under subpart 2 or 3 that
19 relates exclusively to programs, projects, and activities
20 pertaining to children aged 3 through 5, inclusive, unless
21 the State is eligible to receive a grant under section
22 619(b).

23 **“SEC. 682. ADMINISTRATIVE PROVISIONS.**

24 “(a) APPLICANT AND RECIPIENT RESPONSIBIL-
25 ITIES.—

1 “(1) DEVELOPMENT AND ASSESSMENT OF
2 PROJECTS.—The Secretary shall require that an ap-
3 plicant for, and a recipient of, a grant, contract, or
4 cooperative agreement for a project under subpart 2
5 or 3—

6 “(A) involve individuals with disabilities or
7 parents of individuals with disabilities ages
8 birth through 26 in planning, implementing,
9 and evaluating the project; and

10 “(B) where appropriate, determine whether
11 the project has any potential for replication and
12 adoption by other entities.

13 “(2) ADDITIONAL RESPONSIBILITIES.—The
14 Secretary may require a recipient of a grant, con-
15 tract, or cooperative agreement under subpart 2 or
16 3 to—

17 “(A) share in the cost of the project;

18 “(B) prepare any findings and products
19 from the project in formats that are useful for
20 specific audiences, including parents, adminis-
21 trators, teachers, early intervention personnel,
22 related services personnel, and individuals with
23 disabilities;

24 “(C) disseminate such findings and prod-
25 ucts; and

1 “(D) collaborate with other such recipients
2 in carrying out subparagraphs (B) and (C).

3 “(b) APPLICATION MANAGEMENT.—

4 “(1) STANDING PANEL.—

5 “(A) IN GENERAL.—The Secretary shall
6 establish and use a standing panel of experts
7 who are qualified, by virtue of their training,
8 expertise, or experience, to evaluate each appli-
9 cation under subpart 2 or 3 that requests more
10 than \$75,000 per year in Federal financial as-
11 sistance.

12 “(B) MEMBERSHIP.—The standing panel
13 shall include, at a minimum—

14 “(i) individuals who are representa-
15 tives of institutions of higher education
16 that plan, develop, and carry out high
17 quality programs of personnel preparation;

18 “(ii) individuals who design and carry
19 out scientifically based research targeted to
20 the improvement of special education pro-
21 grams and services;

22 “(iii) individuals who have recognized
23 experience and knowledge necessary to in-
24 tegrate and apply scientifically based re-
25 search findings to improve educational and

1 transitional results for children with dis-
2 abilities;

3 “(iv) individuals who administer pro-
4 grams at the State or local level in which
5 children with disabilities participate;

6 “(v) individuals who prepare parents
7 of children with disabilities to participate
8 in making decisions about the education of
9 their children;

10 “(vi) individuals who establish policies
11 that affect the delivery of services to chil-
12 dren with disabilities;

13 “(vii) individuals who are parents of
14 children with disabilities ages birth
15 through 26 who are benefiting, or have
16 benefited, from coordinated research, per-
17 sonnel preparation, and technical assist-
18 ance; and

19 “(viii) individuals with disabilities.

20 “(C) TERM.—No individual shall serve on
21 the standing panel for more than 3 consecutive
22 years.

23 “(2) PEER-REVIEW PANELS FOR PARTICULAR
24 COMPETITIONS.—

1 “(A) COMPOSITION.—The Secretary shall
2 ensure that each subpanel selected from the
3 standing panel that reviews an application
4 under subpart 2 or 3 includes—

5 “(i) individuals with knowledge and
6 expertise on the issues addressed by the
7 activities described in the application; and

8 “(ii) to the extent practicable, parents
9 of children with disabilities ages birth
10 through 26, individuals with disabilities,
11 and persons from diverse backgrounds.

12 “(B) FEDERAL EMPLOYMENT LIMITA-
13 TION.—A majority of the individuals on each
14 subpanel that reviews an application under sub-
15 part 2 or 3 shall be individuals who are not em-
16 ployees of the Federal Government.

17 “(3) USE OF DISCRETIONARY FUNDS FOR AD-
18 MINISTRATIVE PURPOSES.—

19 “(A) EXPENSES AND FEES OF NON-FED-
20 ERAL PANEL MEMBERS.—The Secretary may
21 use funds available under subpart 2 or 3 to pay
22 the expenses and fees of the panel members
23 who are not officers or employees of the Fed-
24 eral Government.

1 “(B) ADMINISTRATIVE SUPPORT.—The
2 Secretary may use not more than 1 percent of
3 the funds appropriated to carry out subpart 2
4 or 3 to pay non-Federal entities for administra-
5 tive support related to management of applica-
6 tions submitted under subpart 2 or 3, respec-
7 tively.

8 “(c) PROGRAM EVALUATION.—The Secretary may
9 use funds made available to carry out subpart 2 or 3 to
10 evaluate activities carried out under subpart 2 or 3, re-
11 spectively.

12 “(d) MINIMUM FUNDING REQUIRED.—

13 “(1) IN GENERAL.—Subject to paragraph (2),
14 the Secretary shall ensure that, for each fiscal year,
15 not less than the following amounts are provided
16 under subparts 2 and 3 to address the following
17 needs:

18 “(A) \$12,832,000 to address the edu-
19 cational, related services, transitional, and early
20 intervention needs of children with deaf-blind-
21 ness.

22 “(B) \$4,000,000 to address the postsec-
23 ondary, vocational, technical, continuing, and
24 adult education needs of individuals with deaf-
25 ness.

1 “(C) \$4,000,000 to address the edu-
2 cational, related services, and transitional needs
3 of children with an emotional disturbance and
4 those who are at risk of developing an emo-
5 tional disturbance.

6 “(2) Ratable Reduction.—If the sum of the
7 amount appropriated to carry out subparts 2 and 3,
8 and part E of the Education Sciences Reform Act
9 of 2002 for any fiscal year is less than
10 \$130,000,000, the amounts listed in paragraph (1)
11 shall be ratably reduced for the fiscal year.”.